

BRISTOL HISTORIC DISTRICT COMMISSION MEETING

Held: December 4, 2014, at Town Hall, 10 Court Street, Bristol, Rhode Island

Present: Chairman Oryann Lima, Members Victor Cabral, Thomas Enright, John Allen, Mary Millard, Ben Bergeholtz

Also Present: Andrew Teitz, Esq.

Chairman Lima brought the meeting to order at 7:00PM.

The minutes of the November 6, 2014, meeting were approved as presented. (Allen/Cabral 6-0).

1. 14-158 361-365 Hope St., St. Alban's Association, Inc. install power vents

Lodge Secretary Leonard P. Sanford presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-F. Application is for temporary installation of two power vents in lieu of reconstructing chimney on the west elevation. The vents are for two heaters, one gas and one oil. Mr. Sanford stated that he did not feel the vents would be permanent due to rust deterioration. Mr. Sanford stated that the Lodge is awaiting designs and prices for a new chimney which will differ in size (by having two flues) from the original. Commission members discussed the time limit for "temporary" and decided on one year.

Chairman Lima invited comments from the public. Plumber Bill Hill stated that he would be installing the vents and as they are stainless steel they could become permanent.

Jose DaSilva spoke suggesting that one vent be used for the gas furnace and that the reconstructed chimney be used for the oil furnace. This would eliminate the need for a double flue chimney.

A motion was made to approve Application 14-158 as presented for installation of two vents for a time limit of one year in accordance with Secretary of the Interior Standard #9 (Allen/Cabral 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 9

Project Monitor: Oryann Lima

2. 14-159 996 Hope St., Matthew C. Perry 1. replace storm door; 2. replace two windows

Property owner Matthew Perry presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-H. Mr. Perry would like to replace the aluminum door and two aluminum windows on the rear (east) addition of the house. The area previously was an

open porch which was closed in with the windows and door and not part of the original construction.

Mr. Perry proposes using Pella Aluminum Clad Wood mullioned, double hung windows and a Larson aluminum door as shown in Exhibits C and D.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 14-159 as presented and pictured in examples for replacement of windows and door in accordance with Secretary of the Interior Standard #9 (Enright/Cabral 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 9. Also owner is replacing windows and door in a modern addition not part of the original construction.

Project Monitor: Thomas Enright

3. 14-119 10 Summer St., Ronald J. Rodrigues new shed

Property owner Ronald Rodrigues presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-L, Q. Mr. Rodrigues is returning following a site visit to the property on November 19, 2014. Commission members Oryann Lima, Mary Millard, Ben Bergenholtz, Thomas Enright, and John Allen; Solicitor Andy Teitz, staff assistant Susan Church and Edward Tanner, Zoning Officer attended the site visit. Application is to install a 10' by 14' shed in the front yard of the property. The front yard abuts Summer St.

Mr. Rodrigues submitted Exhibit Q which correctly shows the stakes indicating the location proposed for the shed. He stated that the location met all zoning set-backs. The shed will have cedar clapboard siding with trim and water board to be of various Azak materials, and copper flashing. Mr. Rodrigues stated that the shed would be used for storage of equipment.

Member Cabral asked what the shed would sit on; Mr. Rodrigues replied, "a slab 5-6" high." The proposed shed is 10' in height.

A request was made of Solicitor Teitz to clarify the charge to the Commission members regarding this decision. Solicitor Teitz stated that a determination is to be based on what is appropriate regarding size, shape, details and location in the Historic District as a whole and of Summer St.. Solicitor Teitz noted that proposed location meets minimum zoning requirements; however the key question is: "location in a front yard."

Member Bergenholtz noted that if the trees and shrubs located on the Summer St. side were cut down, the shed would be very visible.

Member Cabral stated, "many residents in the Historic District have storage problems."

Chairman Lima invited comments from the public. Charles Burke of 26 Summer St. noted that at the September 4, 2014, meeting Mr. Rodrigues said the shed was for storage of business records. He said the shed will be visible from both Summer St. and Hope St. He said that when the house was originally built Mr. Rodrigues said there would be no accessory buildings.. He felt that approving the shed in the front yard would: “set a bad precedent.”

Mark Sitcoske, 19 Summer St. stated that with the leaves off the trees and shrubs he can see the shed location stakes in the yard. He noted that the shed seems more like a garage in size, he also noted this is a rental property. He felt a precedent would be set if approved for the front yard.

Member Enright noted that he had spent time in the area examining the appearance of the location from Summer St. and Hope St. He stated in his opinion that over a 15 to 20 year period the area had gone through immense change with renovations to existing buildings and construction of new buildings. He noted the property across the street had been completely rebuilt. He felt nothing sticks out as very distinct architecture and that allowing the shed will not alter character of the neighborhood.

Member Allen stated that he completely disagreed with Member Enright and he does not feel the shed should go in the front yard as it would set a negative precedent.

Chairman Lima agreed with Member Allen saying also that she had no problem with the shed being located in any other area. However locating in the front yard would; “set a precedent.”

**A motion was made to approve Application 14-119 as presented for construction of a new 10’ x 14’ storage shed with site plan and materials shown in application in accordance with Secretary of the Interior Standards #9, 10 (Enright/Cabral 3-3). Voting for: Enright, Cabral, Millard. Voting against: Allen, Bergenholtz, Lima
As a majority vote was not attained, the motion failed.**

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 9, 10.

The HDC’s decision reflects its finding that the view of the primary façade of buildings should be protected, and therefore secondary buildings should be located behind established buildings and not in the front yard. Furthermore, the HDC found that approval of the application would constitute an undesirable precedent with regard to construction of secondary structures in front yards rather than behind primary buildings. While the existing vegetation would partially conceal the shed in the warm weather months, there is no HDC jurisdiction over such vegetation and it could be removed at any time. In such event, the shed would have a negative impact on the surrounding historic district and historic properties and the shed in the front yard would be incongruous with the character of the historic district where most secondary structures are not in the front yard. Although the applicant submitted a list of accessory structures in front yards in the downtown area, he was unable to confirm which ones had predated the historic district or were not even located within the historic district. Furthermore, the applicant admitted that many of these structures were on corner lots, where by definition, there are two front yards.

The Secretary of the Interior’s Standards for Rehabilitation Standards 9 and 10 apply as follows:

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The

new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. (Emphasis added.) The Commission finds that the new construction in the front yard would destroy the spatial relationships that characterize the property, to wit the prevailing motif in the Bristol Historic District that accessory structures are not located in the front yard.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.* The Commission finds that this Standard is not relevant based on the denial.

4. 14-165 365 Hope St., Leo's Ristorante new signs

Restaurant owner Paul Mancieri presented. Staff Assistant photographs were marked Exhibit A, Applicant plans were marked Exhibits B-H. Application seeks approval for new signs which have already been installed. Chairman Lima waived the \$100 fee for work done without a Certificate of Appropriateness.

Chairman Lima invited comments from the public. There were none.

A motion was made to approve Application 14-165 as presented in accordance with Secretary of the Interior Standard #9 (Allen/Bergenholtz 6-0).

Findings of Facts include that this decision conforms to the Secretary of the Interior Standard: 9

Staff Report:

**Staff Approvals – November = 6, copy attached
Project Monitor Report(s)**

Member and Project Monitor Enright requested that he be allowed to approve a change of front door for Juan Mariscal at 1303 Hope St. The rear of the house has been repaired and owner wants a new more appropriate door. According to established rules owner must submit an application for Commission decision. Staff Assistant will notify owner.

Adjourn:

A motion to adjourn was unanimously passed at 8:20PM

SC

Date Approved: January 8, 2015

BRISTOL HISTORIC DISTRICT COMMISSION

Monthly Sign-Off Report November, 2014

DATE	APP. NO.	ADDRESS	WORK DESCRIPTION – In Kind
11/6	14-157	410 Thames	Re-roof
11/13	14-160	183 High	Replace trim & water boards s-w corner of addition & under rear deck; replace clapboards as necessary <25%
11/13	14-161	178 High	Re-roof
11/13	14-162	64 High	Re-roof
11/18	14-163	525 Hope	Repair roof slates; install snow guard
11/18	14-164	9 Court	Install snow guard